

Patent
Attorney's Docket No. 000600-016

REMARKS/ARGUMENTS

In support of the finality of the Office Action, the Examiner provides a definition of pH, and concludes therefrom, "hydroxide ion concentration is also present when the solution contains an acid." However, this fact is immaterial to the issue at hand. To reiterate, the issue is whether the scope of claims 1 and 13 was narrowed by the amendment to recite a pH below 7. The Examiner's definition of pH notwithstanding, *she has provided no evidence that a solution containing an acid can have a pH which is not below 7.* Indeed, the Examiner's own authority confirms this. On page 564 of Kotz (Chemistry and Chemical Reactivity), a pH of below 7 is defined as acidic. Is it truly the Examiner's position that a solution can contain an acid yet not be acidic? Again, it is respectfully requested that the Examiner reconsider her position, and withdraw the finality of the Office Action.

The Examiner has rejected the claims under 35 U.S.C. §103 as obvious over Brasch (U.S. 4,378,270), Schellinger (U.S. 4,001,509) and Sugihara et al (U.S. 5,705,089) in various combinations.

The rejections over Brasch and Schellinger were previously applied in the first Office Action but withdrawn in the second Office Action dated April 25, 2005. The arguments brought forward in response to the first Office Actions are still applicable and are incorporated herein by reference. Applicants again emphasize that Brasch and Schellinger both relate to etching which is fundamentally different from cleaning.

Sugihara et al is applied for the first time in this Office Action. However, Sugihara et al relates to cleaning semiconductor substrates, i.e. silicon wafers (see col. 1, lines 15-20.)

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Cleaning of metals is not disclosed. Furthermore, the composition does contain at most 1000 ppm of phosphonic acid complexing agent (col. 3, lines 51-52), which in case of e.g. a 30 wt% hydrogen peroxide solution corresponds to 0.3 wt% phosphonic acid base on the amount of H₂O₂. Thus the amount of phosphonic acid based complexing agent in Sugihara is far below the amount required in claim 1 of the present application.

Considering that this reference does not relate to cleaning of metals and does not suggest any cleaning solution as defined in the present invention, a combination of Sugihara with either of Brasch or Schellinger does not establish a *prima facie* case of obviousness.

Applicants therefore request that a timely Notice of Allowance be issued as to claims 1-6 and 8-22.

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Respectfully submitted,

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